

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

C. D. BARNES ASSOCIATES, INC.,
a Michigan Corporation,

CASE NO. 1:04-CV-00850

Plaintiff/Counter-Defendant,

v

HONORABLE ROBERT J. JONKER

GRAND HAVEN HIDEAWAY LIMITED PARTNERSHIP,
a Delaware Limited Partnership; et al,

Defendants/Cross-Defendants,

JOINT STATUS REPORT

A Rule 16 Scheduling Conference is scheduled for the 20th day of January, 2009, before
Honorable Robert J. Jonker. Appearing for the parties as counsel will be:

Plaintiff:

Aileen M. Leipprandt
Steven K. Stawski

CD Barnes Associates, Inc. ("CDBA")

Defendants:

John D. LaDue

Centennial Mortgage, Inc.

William C. Reens

Bond Construction Company

Scott Hogan

Pylman Power, Inc. & Cherry Valley Concrete

W. Brad Groom

Engineered Heating & Cooling, Inc.
and Fredericks Company, Inc.

Michael C. Walton and
Anthony A. Pearson

Grand Haven Hideaway Limited Partnership,
QTC Company, and Carey J. Boote

Marilynn K. Smyth

Stock Building Supply, LLC
(Will not be attending Scheduling Conference)

Robert C. Timmons

Supply Company, Inc.

Jason D. Menges and
Gregory M. Yatooma

Whirlpool Corporation
(May not be attending Scheduling Conference)

Brianna Scott	Brinks Multi-Family Drywall, LLC
George E. Pawlowski	Standale Lumber and Home Center Interiors
Curtis Rypma	Precise Plumbing & Excavating, Inc.
Randall Allen White	Soils and Structures, Inc. (Will not be attending Scheduling Conference)
Jennifer L. McManus, AUSA	Alphonso R. Jackson of Department of Housing and Urban Development ("HUD")
Richard Charles Gould	Jared Toldo (Will not be attending Scheduling Conference)
David W. Charron Stacey A. George	M. J. Benzer Company (Will not be attending Scheduling Conference)

Third Party Defendants

Aileen M. Leipprandt	Jedco Del-Con Corporation
Aileen M. Leipprandt	CNA Surety Corp. and National Fire Insurance Co. of Hartford

1. Stay on subcontractor actions. The parties agree that the stay on subcontractor actions shall remain in place until April 1, 2009 to facilitate settlement negotiations.
2. Additional Discovery.
 - a. HUD/CDBA require additional expert discovery regarding damage claims.
 - b. CDBA/Surety/Subcontractors require additional discovery as to the basis of the subcontractor claims.
 - c. Centennial may require additional discovery related to damages claims.
 - d. Grand Haven Hideaway Limited Partnership, QTC and Carey Boote may require additional discovery regarding damages claims.
3. Additional Motion Practice.
 - a. Subcontractors may file summary judgment motions.
 - b. Carey Boote may file summary judgment motion in response to claim by Precise Plumbing.

4. Settlement Negotiations with Private Mediator. The parties will attempt to resolve their claims without participation of a third party; however, as the negotiations continue, the parties are open to the continued involvement of a private mediator.

5. Prepare the case for trial. The parties require until October 1, 2009 to complete discovery.

6. Length of Trial. The parties estimate that this matter can be tried in 10-14 days with some issues and parties bifurcated. The parties suggest that bifurcation be determined at a final pre-trial status conference.

7. Trier of Fact. This matter will be tried by the court without a jury.

8. Bifurcation. It may be desirable to bifurcate subcontractor claims from the HUD/CDBA principal claims. The parties suggest that bifurcation be determined at a final pre-trial status conference. It may be desirable to bifurcate the damages claims between CDBA, Grand Haven Hideaway Limited Partnership, QTC, and MJ Benzer Company from the subcontractor claims and from the principal claims of HUD/CDBA.

9. Final Pre-Trial Status Conference. The parties request a final pre-trial status conference to determine, among other matters, bifurcation of issues and parties.

Respectfully submitted by:

DATED: January 13, 2009

CD BARNES ASSOCIATES, INC., JEDCO DEL-
CON CORPORATION, CNA SURETY
CORPORATION, and NATIONAL FIRE
INSURANCE COMPANY OF HARTFORD

/s/ Aileen M. Leipprandt

By: Aileen M. Leipprandt (P44651)
aleipprandt@shrr.com

Dated: January 13, 2009

GRAND HAVEN HIDEAWAY LIMITED
PARTNERSHIP, QTC COMPANY AND CAREY J.
BOOTE

/s/ Michael C. Walton

By: Michael C. Walton (P26121)
Anthony A. Pearson (56920)
mcwalton@rhoadesmckee.com

Dated: January 14, 2009

BOND CONSTRUCTION COMPANY

/s/ William C. Reens

By: William C. Reens (P28225)
breens@pfirlaw.com

Dated: January 13, 2009

CENTENNIAL MORTGAGE, INC.

/s/ John D. LaDue

By: John D. LaDue (P44100)
jladue@lck-law.com

Dated: January 13, 2009

PYLMAN POWER, INC. &
CHERRY VALLEY CONCRETE

/s/ Scott Hogan

By: Scott Hogan (P41921)
shogan@fosterswift.com

Dated: January 14, 2009

ENGINEERED HEATING & COOLING, INC.
AND FREDERICKS COMPANY, INC.

/s/ W. Brad Groom

By: W. Brad Groom (P31556)
wbg@parmenterlaw.com

Dated: January 13, 2009

STOCK BUILDING SUPPLY, LLC

/s/ Marilynn K. Smyth

By: Ronald P. Strote (P23333)
Marilynn K. Smyth (P45219)
msmyth@maysimpsonstrote.com

Dated: January 14, 2009

WHIRLPOOL CORPORATION

/s/ Gregory M. Yatooma

By: Jason D. Menges (P64228)
Gregory M. Yatooma (P68818)
jmenges@foleylaw.com
gyatooma@foley.com

Dated: January 14, 2009

STANDALE LUMBER AND HOME CENTER
INTERIORS

/s/ George E. Pawlowski

By: George E. Pawlowski (P18728)
mpfgrlaw@aol.com

Dated: January 13, 2009

PRIES SUPPLY COMPANY, INC.

/s/ Robert C. Timmons

By: Robert C. Timmons (P25110)
rtimmons@boblaw.com

Dated: January 14, 2009

BRINKS MULTI-FAMILY DRYWALL, LLC

/s/ Brianna Scott

By: Brianna Scott (P62170)
brianna@drakescott.com

Dated: January 13, 2009

PRECISE PLUMBING & EXCAVATING, INC.

/s/ Curtis Rypma

By: Curtis Rypma (P44421)
crypma@schenkboncher.com

Dated: January 13, 2009

SOILS AND STRUCTURES, INC.

/s/ Randall Allen White

By: Randall Allen White (P22261)
rwhite@scholtenfant.com

Dated: January 13, 2009

ALPHONSO R. JACKSON

/s/ Jennifer L. McManus

By: Donald A. Davis, United States Attorney
Jennifer L. McManus, AUSA
jennifer.mcmanus@usdoj.gov

Dated: January 14, 2009

JARED TOLDO

/s/ Richard Charles Gould

By: Richard Charles Gould (P31269)
rcgould@comcast.net

Dated: January 13, 2009

M.J. BENZER COMPANY

/s/ Stacey A. George

By: David W. Charron (P39455)

Stacey A. George (P66955)

sgeorge@charronhanisch.com